THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.25693 of 2000

Between:

The Nalgonda & Ranga Reddy Milk Producers Co-operative Union Ltd., Rep by its General Manager, Hayathnagar, R.R.District, and another.

..... PETITIONERS

AND

The Secretary Government of A.P., Animal Husbandary and Fisheries (Dairy) Secretariat, Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

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ORDER:

The Nalgonda & Ranga Reddy Milk Producers Co-operative Union and the A.P.Dairy Development Co-operative Federation Limited (APDDCFL) seek a writ of Mandamus directing respondent Nos.1 to 3 herein, namely, the Secretary to Government of Andhra Pradesh in Animal Husbandry Department, the District Collector, Hyderabad, and the Secretary to Government in Municipal Administration Department, to take the final decision pursuant to the minutes dated 09.10.1987 of the meeting held in the Chambers of the Secretary to Food and Agricultural Department, and the minutes dated 19.10.1992 of the meeting held in the Chambers of the Chief Secretary to the Municipal Corporation of Hyderabad.

A reading of the minutes annexed to the writ petition would show that when APDDCFL proposed to distribute milk through Automatic Milk Vending Machine Centres, the Municipal Corporation of Hyderabad (MCH), the fourth respondent

herein, identified 70 sites and accorded permission for a period of one year from 01.04.1987 to 31.03.1988, for which APDDCFL paid a sum of Rs.4,75,075/- as lease amount to MCH. In the meeting held on 09.10.1987 in the Chambers of the Secretary to Food and Agricultural Department, it was suggested that APDDCFL should purchase the sites. In the meeting held in the Chambers of the Chief Secretary to MCH on 19.10.1992, the decision was reconsidered, and it was found that the open sites, which are included in the common areas in the layout, do not vest in the Urban Development Authorities, but continued to remain with the developers, and therefore, purchase of the same would not be possible. However, it was opined that necessary amendments should be made to the proposal, pending which, APDDCFL, Hyderabad Urban Development Authority and MCH were advised to have close liaison to identify such layouts where open lands are available for public utility purposes. As the petitioners approached this Court with a huge delay in seeking a direction to implement the minutes, this Court is not inclined to pass any orders in their favour. It shall, however, be open to APDDCFL to approach the Government and MCH in this regard afresh, if there is a need for continuing the system of distributing milk through milk booths.

The writ petition, with the above observation, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

20.10.2005

vs